

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
James J. Modliszewski et al.

Application No.: 10/824,793

Confirmation No.: 6666

Filed: April 14, 2004

Art Unit: 1623

For: DELIVERY SYSTEM OF HOMOGENEOUS,  
THERMOREVERSIBLE GEL FILM  
CONTAINING KAPPA-2 CARRAGEENAN Examiner: Everett White

MS RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUBMISSION UNDER 37 CFR 1.114**

On October 17, 2007, Applicants' representative Paul Fair conducted a personal interview with Examiners Leigh Maier and Everett White in regard to the outstanding rejections in the above identified case. Granting of the personal interview and the professional courtesy and respect shown by the Examiners during the interview were appreciated.

In the Office Action dated November 1, 2006, the Examiner rejected claims 1-27 under 35 USC § 103 as being obvious in view of Gennadios (U.S. Patent 6,214,376). As noted in the Examiner Interview Summary Record, mailed on October 22, 2007, Applicants' representative Paul Fair discussed the outstanding rejections and the differences between the prior art and the claimed invention. More specifically, in conjunction with the discussion of the prior art, Mr. Fair provided background information on the chemistry and properties of carrageenan in general and kappa-2 carrageenan, iota carrageenan and kappa carrageenan in particular (such as known gelling properties and varying degrees of sulfation), and referred to Falshaw, Food Hydrocolloids 15: 441-452, 2001, and Bixler, Food Hydrocolloids 15: 619-630, 2001, both of which are listed on the Examiners Interview Summary Record, to assist the Examiners' understanding of both the cited prior art and the claimed invention. As noted in the Examiner Interview Summary Record,

the Examiner agreed to reconsider the properties of kappa-2 carrageenan and the prior art rejections.

Based on the information presented and discussed during the interview, as well as the arguments of record, it is believed that the rejections of claims 1-27 as obvious over Gennadios should be withdrawn.

It is believed that this Submission fully complies with 37 CFR 1.114, as well as complies with Applicants' requirement to file a statement of the substance of the interview.

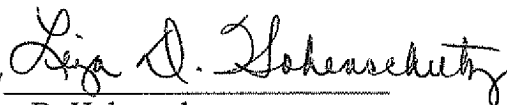
Accompanying this Submission is an Information Disclosure Statement.

An early and favorable Office Action is respectfully requested.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 10884-00018-US. A duplicate copy of this paper is enclosed.

Dated: *November 1, 2007*

Respectfully submitted,

By 

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